

**REMARKS**

**1. Present Status of Patent Application**

This is a full and timely response to the Advisory Action mailed July 13, 2005 and the outstanding final Office Action mailed April 21, 2005. Reconsideration and allowance of the application and presently pending claims 1-16 and 18-36, as amended, are respectfully requested.

**2. Response to Rejection of Claims 1-16 and 18-36 Under 35 U.S.C. §102(e)**

In the Office Action, claims 1-16 and 18-36 stand rejected under 35 U.S.C. §102(e) as allegedly anticipated by *Morris* (U.S. Patent No. 6,353,848 B1). For a proper rejection of a claim under 35 U.S.C. Section 102, the cited reference must disclose all elements/features/steps of the claim. See, e.g., *E.I. du Pont de Nemours & Co. v. Phillips Petroleum Co.*, 849 F.2d 1430, 7 USPQ2d 1129 (Fed. Cir. 1988).

a. Claim 1

As provided in independent claim 1, Applicants claim:

A system for servicing imaging data comprising digital data capable of being represented as two dimensional graphics stored in a personal imaging repository by a requested web service operatively connected to a computing device requesting the service, comprising:

a computing device for requesting service with the requested web service;

a personal imaging repository associated with a particular user profile for storing imaging data that is to be accessed by the requested web service, wherein said personal imaging repository is an exchange infrastructure between the imaging data and available web services;

user information for allowing access to said personal imaging repository; and

a requested web service for servicing the imaging data stored in said personal imaging repository responsive to a request from a user and upon having access to said personal imaging repository granted upon receiving said user profile, *wherein said imaging data is maintained in said personal imaging repository once said imaging data is serviced for a first time, said imaging data being continuously made available from said personal imaging repository to other web services.*

(Emphasis added).

Applicants respectfully submit that independent claim 1 is allowable for at least the reason that *Morris* does not disclose, teach, or suggest at least the features “wherein said imaging data is maintained in said personal imaging repository once said imaging data is serviced for a first time, said imaging data being continuously made available from said personal imaging repository to other web services,” as recited and emphasized above in claim 1.

In contrast, *Morris* discloses at most an “interface enabling remote access between a client and a camera.” Col. 13, lines 53-55. *Morris* further teaches that a camera 300 and Web browser 121 may not be connected at the same time, in accordance with its teachings. *See* col. 13, lines 4-18. *Morris* also states that “images are loaded into the camera’s memory on a first-in first-out (FIFO) bases, with the earliest recorded image being replaced by the latest recorded image.” Col. 15, lines 53-56 (Emphasis added). Therefore, the imaging data stored in the camera is not made continuously available to the client in *Morris*, and further, is not made continuously available to other web services, as recited in claim 1. In addition, *Morris* states that commands and data are stored and forwarded between the camera and client application suggesting that the commands and data are deleted after they are forwarded. *See* col. 5, lines 5, lines 1-10; col. 12, lines 60-63. For at least this reasons, *Morris* fails to teach or suggest “wherein said imaging data is maintained in said personal imaging repository once said imaging data is serviced for a first time, said imaging data being continuously made available from said personal imaging repository to other web services.”

For at least these reasons, *Morris* does not anticipate claim 1, and the rejection should be withdrawn.

b. Claims 2-16 and 18

Because independent claim 1 is allowable over the cited art of record, dependent claims 2-16 and 18 (which depend from independent claim 1) are allowable as a matter of law for at least the reason that the dependent claims 2-16 and 18 contain all the features and elements of independent claim 1. *See, e.g., In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988). Accordingly, the rejection to these claims should be withdrawn.

Additionally and notwithstanding the foregoing reasons for allowability of claims 2-16 and 18, these claims recite further features and/or combinations of features

(as is apparent by examination of the claim itself) that are patentably distinct from the cited art of record. For at least these reasons, the rejections of claims 2-16 and 18 should be withdrawn.

For example, claim 8 includes the feature “wherein said personal imaging repository further compris[es] a converter for converting imaging data to any of said plurality of file formats,” which is not disclosed, taught, or suggested by *Morris*. For instance, the passage from *Morris* used to support the rejection discloses that data “can be any format that is understood by the client computer system and the digital device,” which fails to disclose “a converter for converting imaging data,” as alleged in the Office Action. *See* col. 5, lines 5-10. For at least this reason, the rejection of claim 8 should be withdrawn.

As an additional example, among others, claim 11 includes the feature “wherein said personal imaging repository further compris[es] a plurality of imaging data stores for storing imaging data,” which is not disclosed, taught, or suggested by *Morris*. Rather, *Morris* discloses imaging data being stored in a digital camera. Thus, *Morris* does not anticipate claim 11, and the rejection of claim 11 should be withdrawn for at least this reason.

Further, as another example, claim 14, includes the feature of “said personal imaging repository compris[ing] a composition store for storing imaging compositions of imaging data serviced as a single unit,” which is not disclosed, taught, or suggested by *Morris*. Rather, *Morris* discloses raw imaging data being stored in a single digital camera. *See* col. 9, lines 19-27. Thus, *Morris* does not anticipate claim 14, and the rejection of claim 14 should be withdrawn for at least this reason.

c. Claim 19

As provided in independent claim 19, Applicants claim:

A method for requesting service for imaging data comprising digital data capable of being represented as two dimensional graphics stored in a personal imaging repository having an image data store for storing the imaging data and a composition store for storing imaging compositions having links to the imaging data serviced as a single unit, through a computing device having a browser operatively connected to a requested web service, said method comprising the steps of:

requesting service from the requested web service by the computing device;

sending user information to the requested web service enabling the web service to access the user's personal imaging repository;

accessing the personal imaging repository using the user information by the requested web service; and,

servicing the selected imaging data by the requested web service responsive to user selection from the computing device, *wherein said imaging data is maintained in said personal imaging repository once said imaging data is serviced for a first time, said imaging data being continuously made available from said personal imaging repository to other web services.*

(Emphasis added).

Applicants respectfully submit that independent claim 19 is allowable for at least the reason that *Morris* does not disclose, teach, or suggest at least the features "wherein said imaging data is maintained in said personal imaging repository once said imaging data is serviced for a first time, said imaging data being continuously made available from said personal imaging repository to other web services," as recited and emphasized above in claim 19.

In contrast, *Morris* discloses at most an "interface enabling remote access between a client and a camera." Col. 13, lines 53-55. *Morris* further teaches that a camera 300 and Web browser 121 may not be connected at the same time, in accordance with its teachings. *See* col. 13, lines 4-18. *Morris* also states that "images are loaded into the camera's memory on a first-in first-out (FIFO) bases, with the earliest recorded image being replaced by the latest recorded image." Col. 15, lines 53-56 (Emphasis added). Therefore, the imaging data stored in the camera is not made continuously available to the client in *Morris*, and further, is not made continuously available to other web services, as recited in claim 19. In addition, *Morris* states that commands and data are stored and forwarded between the camera and client application suggesting that the commands and data are deleted after they are forwarded. *See* col. 5, lines 5, lines 1-10; col. 12, lines 60-63. For at least this reason, *Morris* fails to teach or suggest "wherein said imaging data is maintained in said personal imaging repository once said imaging data is serviced for a first time, said imaging data being continuously made available from said personal imaging repository to other web services."

For at least these reasons, *Morris* does not anticipate claim 19, and the rejection should be withdrawn.

c. Claims 20-35

Because independent claim 19 is allowable over the cited art of record, dependent claims 20-35 (which depend from independent claim 19) are allowable as a matter of law for at least the reason that the dependent claims 20-35 contain all the features and steps of independent claim 19. *See, e.g., In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988). Accordingly, the rejection to these claims should be withdrawn.

Additionally and notwithstanding the foregoing reasons for allowability of claims 20-35, these claims recite further features and/or combinations of features (as is apparent by examination of the claim itself) that are patentably distinct from the cited art of record. For at least these reasons, the rejections of claims 20-35 should be withdrawn.

As one example, among others, claim 23, includes the steps of “connecting with the composition store of the personal imaging repository by the web service; obtaining a list of the imaging composition stored in the composition store by the web service; constructing a web content including a list of the imaging composition by the web service and control for selecting the available service; and, sending the constructed web content to the browser by the web service for user selection,” which are not disclosed, taught, or suggested by *Morris*. Rather, *Morris* discloses raw imaging data being stored in a single digital camera. *See* col. 9, lines 19-27. Thus, *Morris* does not anticipate claim 23, and the rejection of claim 23 should be withdrawn for at least this reason.

As another example, claim 26 includes the step of “converting the imaging data in the specified format when the imaging data needs to be converted into the specified format,” which is not disclosed, taught, or suggested by *Morris*. For instance, the passage from *Morris* used to support the rejection discloses that data “can be any format that is understood by the client computer system and the digital device,” which fails to disclose a step of converting imaging data, as alleged in the Office Action. *See* col. 5, lines 5-10. For at least this reason, the rejection of claim 26 should be withdrawn.

d. Claim 36

As provided in independent claim 36, Applicants claim:

A computer program product comprising a computer usable medium having computer readable program codes embodied in the medium that when executed cause a computer to:

request service involving imaging data comprising digital data capable of being represented as two dimensional graphics from the requested web service by the computing device;

send user information to the requested web service enabling the web service to access a personal imaging repository associated with the sent user information, the repository containing the imaging data;

access the personal imaging repository using the user information by the requested web service; and,

service the selected imaging data by the requested web service responsive to user selection from the computing device, *wherein said imaging data is maintained in said personal imaging repository once said imaging data is serviced for a first time, said imaging data being continuously made available from said personal imaging repository to other web services.*

(Emphasis added).

Applicants respectfully submit that independent claim 36 is allowable for at least the reason that *Morris* does not disclose, teach, or suggest at least the features “wherein said imaging data is maintained in said personal imaging repository once said imaging data is serviced for a first time, said imaging data being continuously made available from said personal imaging repository to other web services,” as recited and emphasized above in claim 36.

In contrast, *Morris* discloses at most an “interface enabling remote access between a client and a camera.” Col. 13, lines 53-55. *Morris* further teaches that a camera 300 and Web browser 121 may not be connected at the same time, in accordance with its teachings. See col. 13, lines 4-18. *Morris* also states that “images are loaded into the camera’s memory on a first-in first-out (FIFO) bases, with the earliest recorded image being replaced by the latest recorded image.” Col. 15, lines 53-56 (Emphasis added). Therefore, the imaging data stored in the camera is not made continuously available to the client in *Morris*, and further, is not made continuously available to other web services, as recited in claim 36. In addition, *Morris* states that commands and data are stored and forwarded between the camera and client application suggesting that the commands and data are deleted after they are

forwarded. *See* col. 5, lines 5, lines 1-10; col. 12, lines 60-63. For at least this reason, *Morris* fails to teach or suggest "wherein said imaging data is maintained in said personal imaging repository once said imaging data is serviced for a first time, said imaging data being continuously made available from said personal imaging repository to other web services."

For at least these reasons, *Morris* does not anticipate claim 36, and the rejection should be withdrawn.

### CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, Applicants respectfully submit that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,

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